

REMARKS

Claims 1-5, 7-21, and 23-34 were pending in the application. Claims 2-4, 8-11, 13-16, 18-20, 24-27, and 29-32 have been cancelled. Claims 1, 5, 7, 12, 17, 21, 23, 28 and 34 have been amended. No new matter has been added. Accordingly, claims 1, 5, 7, 12, 17, 21, 23, 28, and 33-34 remain pending in the application. Reconsideration is respectfully requested in view of the amendments to the claims and the following remarks.

I. Double Patenting

Claims 15, 16, 31, and 32 were provisionally rejected under 35 U.S.C. § 101 as claiming the same invention as that of claims 1-4 of co-pending U.S. Patent Application No. 10/842,182 (US 2005/0248316).

Applicant has cancelled claims 15, 16, 31, and 32 to overcome the double patenting rejection.

Claims 1-5, 7-14, 17-21, 23-30, and 33-34 were provisionally rejected on the grounds of nonstatutory obviousness-type double-patenting over claims 1-4 of co-pending U.S. Patent Application No. 10/842,182 (US 2005/0248316).

Independent claims 1, 12, 17, and 28 have been amended to recite a limitation not contained in claims 1-4 of co-pending U.S. Patent Application No. 10/842,182. In particular, the claims have been amended to recite determining a status of a parameter for a first battery, in which the parameter is one of an identification or serial number of the first battery, a type of device to be powered by the first battery, and a type of user to use a device powered by the first battery. In contrast, claims 1-4 of co-pending U.S. Patent Application No. 10/842,182 recite that the parameter comprises a closeness to a desired charge level. Applicant respectfully submits that claims 1, 5, 7, 12, 17, 21, 23, 28, and 33-34 in the present application are patentably distinct

from claims 1-4 of co-pending U.S. Patent Application No. 10/842,182, and are in condition for allowance.

Should any unresolved issues remain, the Examiner is invited to call the undersigned at the telephone number indicated below.

Respectfully submitted,
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January 25, 2007

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